

REMARKS

The Office Action dated January 2, 2004 has been carefully considered. Claims 1, 2 and 5-33 are pending in this application.

The objection to claim 21 is submitted as having been overcome due to the amendment to claim 21 which deletes "the before "instructions" and "the" before "selected." However, "the actions" is submitted as having a proper antecedent basis in "executing actions" in the prior line.

The rejection of claims 1, 2, and 5-13 under 35 U.S.C. 102(b) as being anticipated by Johnsen is respectfully traversed. It is respectfully submitted that Johnsen neither teaches nor suggests "broadcasting a site signal within a site representing a plurality of item records associated with a plurality of items within the site, each said item record comprising item identifier information and item location information." Restated, nothing in Johnsen teaches or suggests broadcasting item location information. Rather, as disclosed in column 7 lines 62-65 of Johnsen, there exists in memory 50 on each shopping cart "a database containing all of the UPC product bar codes for each of the products on sale in the store. It is further disclosed at column 7, lines 66-68 that "[f]or each bar code the memory includes a description of the product, the aisle number in which the product is shelved and the price of the product." Consequently, product location information is resident at the shopping cart memory rather than being broadcast. One aspect of the invention offers numerous advantages over Johnsen including convenience in disseminating and changing product location information without being obligated to download such information into every shopping cart. Further, another aspect of the invention offers to a PDA user the advantage of broadcasting to the PDA, store item information as soon as the PDA is in the site vicinity. The same arguments

above hold true with respect to claim 10 which recites "broadcasting a site signal within a site representing a plurality of item records associated with a plurality of items within the site, each said item record comprising item identifier information and item location information." Once again, as indicated by claim 10, item location information is being broadcast rather than being resident in memory at each shopping cart. Claim 21 recites "a plurality of product transmitters each broadcasting identity information of a product or class of products, a location of the product transmitter being associated with the location of the product or class of products." No such teaching or suggestion exists in Johnsen. Note that claim 21 has been amended to correct the typographical error such that it now recites "class of products" rather than "class or products."

It should be noted that Johnsen teaches broadcasting promotions rather than product location information through wireless communications. This is demonstrated at column 8, lines 24-34.

Claim 15 has been amended to recite all limitations with a proper antecedent basis.

It is submitted that the dependant claims merely recite limitations in addition to the independent claims from which they depend and are therefore patentably distinct from the cited art.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By


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